

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-18711 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: CLARK COUNTY SCHOOL DISTRICT, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
4. The limits of this petition of vacation shall be defined as the right-of-way that exists between the back of the constructed sidewalk on 28th Street, between Stewart Avenue and Sunrise Avenue and on Sunrise Avenue from 28th Street approximately 712 to the east.
5. This Petition of Vacation shall be modified to retain the radius corner at the northeast corner of Sunrise Avenue and 28th Street and the southeast corner of Stewart Avenue and 28th Street.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to Vacate a portion of a public right-of-way generally located at the northeast corner of Sunrise Avenue and 28th Street. The Clark County School District is submitting this application in order to comply with Condition 11 of the approved Site Development Plan Review (SDR-14380).

The applicant is proposing to vacate approximately 708 linear feet of Sunrise Avenue that runs along the southern portion of the site with varying widths from 3.0 to 3.5 feet. Additionally, the applicant wishes to vacate approximately 1,282 linear feet of 28th Street that runs along the western portion of the site with varying widths from 13.26 to 16.30 feet.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/28/92	The Board of Zoning Appeals approved a Variance (V-0192-91) to allow the outdoor storage of automobiles.
05/24/94	The Board of Zoning Appeals approved a Variance (V-0069-94) to allow a commercial business office where commercial uses are not permitted on the subject site.
08/02/00	The City Council approved a Variance (V-0032-00) to allow a minimum lot size of 2,600 square feet where 6,500 square feet is required for a proposed 75-lot residential subdivision. The Planning Commission and Staff recommended approval.
08/02/00	The City Council approved a Variance (V-0034-00) to allow a 15 foot setback in the front yard where 20 feet is the minimum setback required; and to allow a zero foot side yard setback where five feet is the minimum required; and to allow a 10 foot setback in the rear yard where 20 feet is the minimum required in conjunction with a 75-lot residential subdivision. The Planning Commission and Staff recommended approval.
11/06/02	The City Council approved two Extensions of Time [V-0032-00(1) and V-0034-00(1)] on approved Variances (V-0032-00 and V-0034-00) that allowed for reduced minimum lot size and setbacks. The Planning Commission and Staff recommended approval.
11/05/03	The City Council approved two Extensions of Time (EOT-2894 and EOT-2895) on approved Variances (V-0032-00 and V-0034-00) that allowed for reduced minimum lot size and setbacks. The Planning Commission and Staff recommended approval.
10/06/04	The City Council approved two Extensions of Time (EOT-5040 and EOT-5041) on approved Variances (V-0032-00 and V-0034-00) that allowed for reduced minimum lot size and setbacks.

08/02/06	Two Extensions of Time (EOT-5040 and EOT-5041) for approved Variances (V-0032-00 and V-0034-00) expired on the subject site.
09/06/06	The City Council approved a request for a General Plan Amendment (GPA-14376), a Rezoning (ZON-14378) and a Site Development Plan Review (SDR-14380) to allow and site a new school on the property. The Planning Commission and staff had recommended approval of all three items.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #17/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
A pre-application meeting was not held nor is one required for this type of request.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Jr. High School	PF (Public Facilities)	C-V (Civic District)
	Undeveloped	PF (Public Facilities)	R-2 (Medium-Low Density Residential) under ROI to C-V (Civic District)
North	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Multi-Family Housing	M (Medium Density Residential)	R-2 (Medium-Low Density Residential)
East	City Park	PF (Public Facilities)	C-V (Civic District)
	Building Supplies & Hardware Business	LI/R (Light Industrial / Research)	C-1 (Limited Commercial)
West	Elementary School	PF (Public Facilities)	C-V (Civic District)
	Vocational School	PF (Public Facilities)	C-V (Civic District)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	n/a
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	n/a
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

DETAILS OF APPLICATION REQUEST

The property is legally described as a 3.5 foot wide right-of-way beginning at the northeast corner of 28th Street and Sunrise Avenue and extending 708 feet east along Sunrise Avenue; and

The property is legally described as a 13 foot wide right-of-way beginning at the northeast corner of 28th Street and Sunrise Avenue and extending 1,282 feet north along 28th Street.

Said property being a portion of the East Half (E½) of the North Half (N½) of the Southwest Quarter (SW¼) of Section 36, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

- **Planning and Development**

A Site Development Plan Review (SDR-14380) required that the school district submit a Petition of Vacation for the additional right-of-way along 28th Street between Stewart Avenue and Sunrise Avenue adjacent to this site. If a vacation is not approved by the City Council, then the site plan must be revised to conform to the existing right-of-way and resubmitted to the Planning and Development Department.

Planning staff has no objection to the vacation request. No adverse affects to traffic circulation or site access would result with the proposed vacation.

- **Public Works**

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
It will result in a right-of-way width that matches the constructed street width.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes and it was conditioned by the City of Las Vegas by SDR-14380 to submit a Petition of Vacation for the excess right-of-way.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the proposed redevelopment of Roy Martin Middle School, SDR-14380.*
- E. Does this vacation request eliminate public street access to any abutting parcel?
No.

- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

PLANNING COMMISSION ACTION

Applicant agreed to all conditions at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0